



APPLICATION FOR ZONING BY-LAW AMENDMENT

Development & Housing Approvals
200 King Street West, 6th Floor
Kitchener ON N2G 4V6
519-741-2426; planning@kitchener.ca

USING THE APPLICATION FORM

This application form is to be used by persons or public bodies wishing to change the zoning designation provided for in the City of Kitchener Zoning By-law. In this form, the term “subject land” means the land that is the subject of the proposed amendment to the Zoning By-law.

The applicant has the responsibility to advise the City of Kitchener of any changes in ownership, agents, their names, addresses and telephone numbers etc. to ensure that they are advised of all matters pertaining to their application.

COMPLETENESS OF THIS APPLICATION

The information requested by this application form must be provided by the applicant and will be used to process the request under Section 34 of the Planning Act and Ontario Regulation 545/06. Receipt of this application by the City of Kitchener - Planning Division does not guarantee it to be a ‘complete’ application. Further review of the application will be undertaken and the applicant may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

Pre-Submission Consultation is a requirement of the planning process. **This application will not be accepted in the absence of a Record of Pre-Submission Consultation.** Through the Pre-Submission Consultation, other information and material (e.g. technical information or reports) may be required to assist the City, other agencies in their planning evaluation of the proposed Zoning By-law Amendment. This application will not be considered complete in the absence of any material specified in the Record of Pre-Submission Consultation.

RELATED APPLICATIONS

If the Zoning By-law Amendment is being submitted in conjunction with an Application for Plan of Subdivision and/or Application for Official Plan Amendment, all applications must be completed and submitted together. Any applications for a Plan of Subdivision, Official Plan Amendment and/or Zoning By-law Amendment that are required for a site plan application must have received a Council decision prior to the submission of the site plan application.

SUBMISSION REQUIREMENTS AND APPLICATION FEES

Complete applications must be submitted by email to planning.applications@kitchener.ca (maximum 10 MB); for larger files please upload directly to the City’s ShareFile account (contact us if you require access) with a corresponding email to advise that the application has been uploaded. Payment is due immediately following the digital submission. Send a cover letter (be sure to include the address of the subject property) along with the cheque (payable to the City of Kitchener) to Kitchener City Hall, Development & Housing Approvals Division, 200 King Street West, 6th Floor, Kitchener ON N2G 4V6.

As per subsection 34(10.2) of the Planning Act, the City has established standards for complete applications in the Official Plan. A Zoning By-law Amendment will only be considered complete when all of the following items have been provided:

- ☐ Application form (completed and signed)
- ☐ Copy of plan showing all items required by Ontario Regulation 545/06 (as described below)
- ☐ A reduced copy of the proposed plan at 8.5”x 11” paper size at an appropriate scale and clearly legible
- ☐ Copy of signed Record of Pre-Submission Consultation

A city for everyone

Working together • Growing thoughtfully • Building community

- ☐ All supporting information and materials required to be provided with the initial submission pursuant to the Record of Pre-Submission Consultation
 - ☐ If the site is located within a Source Protection Area, provide a copy of the Notice of Source Protection Plan Compliance (Section 59 Notice) obtained from the Regional Municipality of Waterloo. For more information, visit the Region's website at <http://www.regionofwaterloo.ca/sourceprotection>.
 - ☐ Minor Zoning By-law Amendment - **\$20,550.00**
 - changes to zoning regulations (except building height and Floor Space Ratio) or to add one new permitted use
 - ☐ Reduced fee if submitted with concurrent Official Plan Amendment application - **\$18,495.00**
 - ☐ Major Zoning By-law Amendment (all applications which are not minor) - **\$27,689.00**
 - ☐ Reduced fee if submitted with concurrent Official Plan Amendment application - **\$24,920.00**
 - ☐ Temporary Use By-law (up to three years, with the option to renew) **\$6,270.00**
- PLUS (if not already included with concurrent Official Plan Amendment application fees) -**
- ☐ Public notice advertisement fee - **\$1,518.00**
 - ☐ Notification signs - **\$276.00** each x number of signs required _____
 - ☐ Heritage Review Surcharge fee - **\$3,375.00** (if heritage plans or studies are required, as identified by staff)
NOTE: If a final heritage decision is required by City Council, an additional fee will be required prior to scheduling of the Council meeting.

☐ **TOTAL FEES SUBMITTED: \$** _____
(please include a scanned copy of cheque with the digital submission)

A Neighbourhood Meeting fee (**separate cheque** in the amount of **\$1,278.00**) is required to be submitted with this application (in the event a meeting is not required the cheque will be returned). If more than one meeting is required, additional fee(s) will apply for each subsequent meeting.

Additional agency plan review fees may apply. Please see below for more information and forward fees directly to the applicable agency, as required:

- **Region of Waterloo** – Planning and Development Services, Applications
- <https://www.regionofwaterloo.ca/en/doing-business/applications.aspx>; 519-575-4400
- **Grand River Conservation Authority** – Planning & Development, Permit Fees
- <https://www.grandriver.ca/en/Planning-Development/Permit-fees.aspx> ; 519-621-2761

PLANS

Plans must be drawn on a single sheet, to scale with all measurements in metric units and include:

- The boundaries and dimensions of the subject land
- The location, size and type of all existing and proposed building and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lots lines
- The approximate location of all natural and artificial features that:
 - Are located on the subject land and on land that is adjacent to it, and
 - In the applicant's opinion, may affect the application
- The current uses of the land that is adjacent to the subject land
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- If access to the subject land will be by water only, the location of the parking and docking facilities to be used
- The location and nature of any easements affecting the subject land

NOTICE SIGNS

Please note that all properties subject to an application for a Zoning By-law Amendment are required to post notice signs. As per Council Policy I-705, should the subject property be situated at an intersection or have frontage on more than one public road, notification signs will be required for each street frontage. If the application includes several properties more than one sign per frontage may be required. Property specific notice signs are provided by the City, at the cost noted in the fees section of this form, and shall be installed by the applicant.

A photo of the installed property specific notice sign must be sent to the File Planner prior to the application being deemed complete. The sign(s) shall remain in place until a decision has been made by Council and the applicable appeal period has expired. At that time, it is the responsibility of the applicant to remove the sign(s).

ZONING BY-LAW AMENDMENT PROCEDURE

The targeted timeframe for processing an application for a Zoning By-law Amendment is within 90 days (120 days when combined with Official Plan Amendment). The procedure generally encompasses the following steps:

1. The application is reviewed by planning staff to ensure all prescribed information and the required fee has been provided. Within thirty (30) days of the receipt of an application the applicant will be notified in writing whether the application is considered “complete”. Instructions regarding the notice signs will be sent to the applicant at this time.
2. Within fifteen (15) days of the application being deemed complete a “Notice of Application” will be advertised in The Record (local newspaper) and circulated to residents within 240 metres of the subject land & various departments / agencies for comment. Installation of the notice signs should be coordinated with the circulation of the Notice of Application. Any major issues arising from this circulation will be brought to the attention of the applicant for review and appropriate action.
3. Following the circulation period, a staff report containing a recommendation and any conditions of approval, if required, will be formulated.
4. Once the staff report has been finalized, a notice will be advertised in The Record (local newspaper) twenty (20) days in advance of the statutory public meeting. Notice will also be given directly to any persons that responded to the preliminary circulation outlined above.
5. At the public meeting, opportunity is afforded to the applicant and any other interested parties to make verbal and/or written submissions concerning the application. The committee may choose to recommend approval, refusal or deferral of the application.
6. If recommended for approval or refusal by the committee, the proposed amendment is then forwarded to city council for consideration.
7. If approved by city council, a notice of the passing of the by-law will be given to those who have expressed interest. The 20-day appeal period will commence the day after this notice is given, during which time the application may be appealed to the Ontario Land Tribunal (OLT). Should no appeal be filed, the amendment is final and binding as of the date of council passing.



APPLICATION FOR ZONING BY-LAW AMENDMENT

Development & Housing Approvals
200 King Street West, 6th Floor
Kitchener ON N2G 4V6
519-741-2426; planning@kitchener.ca

1. REGISTERED OWNER (list on additional page if required)

Name(s): _____	Phone: _____
Company (if applicable): _____	Extension: _____
Street Address: _____	Email: _____
City/Province: _____	Postal Code: _____

2. APPLICANT (if other than registered owner)

Name: _____	Phone: _____
Company (if applicable): _____	Extension: _____
Street Address: _____	Email: _____
City/Province: _____	Postal Code: _____

3. ALL PERSONS OR INSTITUTIONS WHO HAVE ANY MORTGAGE CHARGE OR ENCUMBRANCE ON THE PROPERTY

Name: _____	Phone: _____
Company (if applicable): _____	Extension: _____
Street Address: _____	Email: _____
City/Province: _____	Postal Code: _____

4. PRE-SUBMISSION CONSULTATION

a) Has the proposed amendment to the Kitchener Zoning By-law been the subject of a pre-submission consultation meeting with Planning Division staff? Yes ☐ No ☐ Waived ☐

b) If yes, what was the date of pre-submission consultation? _____

Has a copy of the Record of Pre-submission Consultation been included? Yes ☐ No ☐

NOTE: The Record of Pre-submission Consultation documents the required information and materials that must be submitted in conjunction with the application form and fees. The Record is used by staff to determine whether the application is complete and acts as a receipt for any pre-submission consultation fees that you may have paid.

5. DETAILS OF SUBJECT LAND

- a) Municipal address of property subject to application: _____
- b) Legal description of subject property (include lot & registered plan number and parts on reference plan):

- c) Frontage of property: _____
- d) Depth of property: _____
- e) Area of the subject lands: _____
- f) Date subject land was acquired by current owner: _____

NOTE: All measurements are to be in metric units.

6. CURRENT OFFICIAL PLAN DESIGNATIONS

- a) Identify the official plan designation for the subject property. Please include any Official Plan policies or special designations such as floodplain that may affect the subject lands.

- b) Is a concurrent official plan amendment being requested together with this zoning by-law amendment?
Yes ☐ No ☐
- c) Explain how the proposed application conforms to the official plan:

- d) Identify the secondary plan and land use designation for the subject property, if applicable:

- e) Is a secondary plan revision being requested together with this zoning by-law amendment?
Yes ☐ No ☐
- f) Is this an application to alter the boundary of an area of settlement or implement a new area of settlement?
Yes ☐ No ☐
- If yes, provide details of the official plan or official plan amendment that deals with the matter:

- g) Is this an application to remove land from an area of employment?
Yes ☐ No ☐
- If yes, provide details of the official plan or official plan amendment that deals with the matter:

- h) Is the subject land within an area where zoning with conditions may apply?
Yes ☐ No ☐
- If yes, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions:

6. CURRENT OFFICIAL PLAN DESIGNATIONS (CONT'D)

i)

Identify the Regional Official Plan (ROP) designation for the subject lands. Please include any Official Plan policies or special designations that may affect the subject lands.

j)

Does the proposal conform to the applicable ROP designation and policies listed above?

Yes

No

7. CURRENT ZONING BY-LAW DESIGNATIONS

a)

Existing zoning category of the subject property:

Existing special use provisions (i.e. 123U):

Existing special regulation provisions (i.e. 234R):

b)

What are the minimum and maximum density requirements (floor space ratio) for the applicable zoning category?

Minimum:

Maximum:

c)

What are the minimum and maximum height requirements for the applicable zoning category?

Minimum:

Maximum:

8. PROPOSED ZONING BY-LAW AMENDMENT

What is the purpose of the proposed zoning by-law amendment?

9. PROPOSED ZONING BY-LAW DESIGNATION CHART

Proposed Land Use	Requested Zoning	Reference of Lots & Blocks	# of Units or GFA	Hectares	Requested Special Use Provision or Special Regulation

10. SITE CONDITIONS

- a) What is the existing use(s) of the subject land?

- b) What is the length of time that the existing use(s) of the subject land have continued?

- c) Are there existing buildings on the subject property? Yes ☐ No ☐
 - If yes, are any of the existing buildings or structures 50 years of age or older? Yes ☐ No ☐
 - If yes, which buildings (address)? _____
 i) List the date that each building or structure was constructed, if known:

 ii) Identify the type, height and dimensions/floor area of each building (in metres):

 iii) Identify the setbacks (in metres) of each building from the front, side and rear lot lines (you may submit an up-to-date- survey in this regard):
 Front: _____ Rear: _____
 Side 1: _____ Side 2: _____
- d) Is the subject property:
 - Designated under the Ontario Heritage Act? Yes ☐ No ☐
 - Listed on the Municipal Heritage Register? Yes ☐ No ☐
 - Included on Heritage Kitchener's Inventory of Historic Buildings? Yes ☐ No ☐
- e) Is demolition/alteration of buildings proposed? Yes ☐ No ☐
 - If alteration, explain extent: _____
- f) Do any of the building proposed for demolition/alteration contain residential units? Yes ☐ No ☐
 - If yes, how many dwelling units? _____
NOTE: Demolition of a residential building is subject to demolition control, Please contact the Planning Division to determine whether further applications are required.
- g) Are any buildings or structures proposed to be built on the subject lands? Yes ☐ No ☐
 - If yes, identify the type, height and dimensions/floor area of each building (in metres):

11. PROPOSED SERVICING

- a) **Sewage Disposal** - select service type:
☐ Publicly owned piped sewage system
☐ Privately owned communal wastewater system*
☐ Privately owned individual wastewater system*
☐ Other (describe): _____
- *If selected, and if more than 4,500 litres of effluent would be produced per day as a result of the development being complete, a servicing options report and hydrogeological report must accompany the application.

11. PROPOSED SERVICING (CONT'D)b) **Water Supply** - select service type:

- ☐ Publicly owned piped water system
- ☐ Privately owned communal well
- ☐ Privately owned individual well
- ☐ Other (describe): _____

c) **Stormwater Drainage** - A preliminary stormwater drainage report is required for all types of storm drainage. Select the proposed stormwater drainage servicing below:

- ☐ Sewers
- ☐ Ditches or swales
- ☐ SWM pond
- ☐ Infiltration trenches

Attach and provide the name of the preliminary servicing information for the facility you have identified:

Name of servicing information/report: _____

Have you attached a preliminary stormwater management report? Yes ☐ No ☐

If not attached in a separate report, in what report can it be found? _____

d) **Access** - select service type:

- ☐ Provincial (MTO access or land use permit may be required)
- ☐ Regional
- ☐ Municipal
- ☐ Water

Name of servicing information/report: _____

12. OTHER APPLICATIONS

a) Are there any previous or current Planning Act applications (plan of subdivision, consent, official plan amendment) pertaining to the subject lands?

Yes ☐ No ☐

- If yes, provide file number and status of each application:

b) Has the subject land ever been the subject of a Minister's Zoning Order?

Yes ☐ No ☐ Unknown ☐

- If yes, indicate the Ontario Regulation number of that order (if known):

13. PROVINCIAL POLICY CONFORMITY

a) Is the plan consistent with the policy statements issued under any subsection 3(1) of the Act?

(i.e. the Provincial Policy Statement) Yes ☐ No ☐

14. PLAN CHECKLIST

Have you included a plan showing the required information below, to scale in metric units?

- ☐ The boundaries and dimensions of the subject land
- ☐ The proposed locations, dimensions, heights, areas and coverage of the following features that are located on the subject land or lands that are adjacent (if applicable):
 - ☐ Existing and proposed buildings and structures - specifies type/use and setbacks from front, rear and side lot lines
 - ☐ Amenity areas
 - ☐ Planting strips and fencing
 - ☐ Off-street parking and loading areas
 - ☐ Pedestrian and vehicular access
 - ☐ Abutting streets (locations, width and name); indicates what type (i.e. unopened allowance, public travelled road, private road or right-of-way)
 - ☐ Railways
 - ☐ Watercourses (location of parking/docking facilities if water access indicated in section 11)
 - ☐ Drainage ditches
 - ☐ Banks of rivers or streams, wetlands
 - ☐ Wooded areas
 - ☐ Wells and septic tanks
 - ☐ Easements (nature of easements described)
- ☐ The current uses of the land that is adjacent to the subject land

ACKNOWLEDGEMENT

- ☐ I acknowledge that submission of this application constitutes consent for authorized municipal staff to enter upon the subject property for the purpose of conducting site visits, including photographs, which are necessary for the evaluation of this application.
- ☐ I acknowledge that the information requested on this form, and submitted with this application, is collected under the authority of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process this application and forms part of the public record. I understand and agree that the information provided within this application may be published on the City of Kitchener website and therefore be publicly accessible. Questions about this collection can be made to City of Kitchener Planning Division at 519-741-2426.

- ☐ I acknowledge that, to facilitate the City's compliance with O. Reg. 191/11 *Integrated Accessibility Standards* under the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11., the Consultant/Contractor shall provide any final report and any other document identified by the Project Manager/City Representative as intended City/Client website content in an accessible format that complies with the World Wide Web Consortium Web Content Accessibility Guidelines 2.0 AA [other than success criteria 1.2.4. Captions (Live) and success criteria 1.2.5 Audio Descriptions (Pre-Recorded)]. However, this requirement shall not apply to drawings, photos, maps, site plans, or other documents that the Project Manager/City Representative agrees cannot practicably be converted to an accessible format. For detailed information about AODA requirements and to find training resources, visit <https://aoda.ca/>.

Signature of Owner/Applicant: _____ Date: _____

AFFIDAVIT (to be completed *in person* in the presence of a Commissioner of Oaths)

I, _____, of the City/Town/Township of _____,
in the County/Region of _____, solemnly declare that the information contained in
this application is true, the information contained in the documents that accompany this application is true and
that the owner as of the day on which this application is made has unconditional ownership of the subject lands
and has disclosed any agreements or encumbrances that apply to the subject lands.

Signature of Owner/Applicant: _____

Declared before me at the

City/Town/Township of _____ in the County/Region of _____
this _____ day of _____, 20 _____.

Commissioner of Oaths: _____

The personal information contained on this form is collected pursuant to the Planning Act and will be used for the purpose of responding to your application. If you have any questions on the gathering of personal information, please contact the Manager of Corporate Records & Archive Services at 519-741-2200 ext. 7766.

REGIONAL MUNICIPALITY OF WATERLOO - ENVIRONMENTAL SITE SCREENING QUESTIONNAIRE

This form must be completed by the property owner(s) for all development applications submitted to the City of Kitchener on behalf of the Regional Municipality of Waterloo.

1.	What are the current uses of the property? _____			
2.	Was the subject property ever used for industrial purposes? If yes, please describe approximate dates and types of industry: _____	Yes ☐	No ☐	Uncertain ☐
3.	Was the subject property ever used for commercial purposes where there is potential for site construction (i.e. automotive repair, gas station, dry cleaning operation, chemical warehousing, etc.)? If yes, please describe approximate dates and types of commercial activity: _____	Yes ☐	No ☐	Uncertain ☐
4.	Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property? If yes, when? _____ Please provide description of waste materials: _____	Yes ☐	No ☐	Uncertain ☐
5.	Have hazardous materials ever been stored or generated on the property (e.g. has HWIN registration or other permits been required)? If yes, please summarize details: _____	Yes ☐	No ☐	Uncertain ☐
6.	Is there reason to believe that this property may be potentially contaminated based on historical use of this or an abutting property? If yes, please describe the nature of the suspected contamination: _____	Yes ☐	No ☐	Uncertain ☐
7.	Has the subject property or adjacent property ever been used as an agricultural operation where cyanide products may have been used as pesticides? If yes, please summarize details: _____	Yes ☐	No ☐	Uncertain ☐
8.	Are there or were there ever any above ground or underground storage tanks for fuels or chemicals on the property? If yes, please summarize details: _____	Yes ☐	No ☐	Uncertain ☐
9.	Does this property have or ever had a water supply well, monitoring well, geothermal well? If yes, please provide details: _____	Yes ☐	No ☐	Uncertain ☐
10.	Does the property use or has it ever used a septic system?	Yes ☐	No ☐	Uncertain ☐
11.	Have any environmental documents been prepared or issued for this property, including but not limited to a Phase I and II environmental site assessment, risk assessment, Record of Site Condition or Certificate of Property Use?	Yes ☐	No ☐	Uncertain ☐
12.	Will lands be dedicated to the Region as part of this application (including road allowances, daylight triangles?)	Yes ☐	No ☐	Uncertain ☐